DOCUMENT RESUME

ED 070 691 SO 004 370

TITLE	Guidelines for Teaching and Testing the Illinois Constitution.
INSTITUTION	Illinois State Office of the Superintendent of Public Instruction, Springfield. Instructional Services Unit.
PUB DATE	[72]
NOTE	12p.
EDRS PRICE	MF-$0.65 HC-$3.29
DESCRIPTORS	Bibliographic Citations; Citizenship; *Constitutional History; Secondary Grades; *Social Studies; *State Government; Teaching Techniques; Test Construction; *Testing; United States History
IDENTIFIERS	*Illinois

ABSTRACT

This document sets forth guidelines for teaching and testing public school students on the principles of democratic government as expressed in the Constitution of the United States and the Constitution of the State of Illinois. Identification is made of ways of making the examination required by the state of Illinois not only an integral part of the study of government institutions, but also a motivation to further inquiry. Techniques for accomplishment of these goals are described in four sections of the handbook: a statement of rationale, general guidelines for teaching and testing, sample test questions, and bibliography. (Author/SHM)

ED 070691

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
OFFICE OF EDUCATION
THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL OFFICE OF EDUCATION POSITION OR POLICY

guidelines for
teaching and
testing the
illinois constitution

instructional
services unit

SP004370

office of the
superintendent of
public instruction
michael j. bakalis
superintendent

FILMED FROM BEST AVAILABLE COPY

INTRODUCTION

The **Illinois School Code** requires that all students in the public schools become acquainted with the principles of democratic government as expressed in the Constitution of the United States of America and the Constitution of the State of Illinois.[1] This provision, however, does **not** call for a statewide standardized test prepared and administered by the Office of the Superintendent of Public Instruction. Individual schools or districts have the opportunity to create and give their own examinations on the subjects mentioned in Section 27-3 of the Code. They also have considerable flexibility in determining what constitutes the "satisfactory examination" mandated by the legislation. Nevertheless, the Office of the Superintendent of Public Instruction receives many inquiries as to how schools may responsibly carry out the intent of this requirement. These queries have, of course, increased with the adoption of the 1970 Illinois Constitution. Social studies instructors want to know what provisions of the new document should be emphasized and how they may best be taught. This booklet of guidelines is an effort to respond to these kinds of questions.

Conversations with students, teachers, administrators, and parents have left the impression that the required test is perceived as a painful task to be put aside as quickly as possible, rather than as a learning experience. Too often, it takes inordinate amounts of class time or interrupts the natural rhythm of a course of study. The actual test items may be hastily assembled and may measure recall instead of higher-level skills. The existence of the examination may also dictate the content of the course, when ideally the examination should be a logical culmination of what has been taught. This handbook identifies ways of making the examination an invitation to further inquiry, as well as an integral part of a pertinent study of governmental institutions. These techniques are described in four sections: a statement of rationale, general guidelines for teaching and testing, sample test questions, and bibliography. Although the booklet focuses on the 1970 Illinois Constitution, many of its suggestions can be readily applied to the study of the United States Constitution.

The Office of the Superintendent of Public Instruction is grateful to Dr. Joseph Pisciotte, Executive Director of the Sixth Illinois Constitutional Convention and an associate of the Institute of Government and Public Affairs, University of Illinois, Urbana, and to Earl Medlinsky and Eileen Peters of The Educational Testing Service, Princeton, New Jersey, for their assistance and expertise in the preparation of this handbook.

[1] The full text of the legislation requiring teaching and testing in these areas is cited in the **Appendix.**

STATEMENT OF RATIONALE

To be effective, a test should reflect directly the objectives and content of the ongoing course or unit of study of which it is a part. If the examination becomes an isolated exercise, the students are going to view it only as a requirement, and not as part of an educational experience. Therefore, it is difficult to investigate the question of what represents a good test on the Illinois Constitution, without also considering some elements contributing to a worthwhile course in history or government.[1] In fact, it is absolutely essential in the 1970's that the problem of how to teach meaningful courses in this area be given considerable attention.

Any discerning observer of the national scene would agree that social studies teachers today do not have an easy task. Students are very demanding and sophisticated. It is hard to convince them that the constitution test requirement, or for that matter any course or unit in history and government is worthy of their time. Cries for relevance - "pertinence", if you prefer - can make the administration of requirements an unpleasant task.

Although it is not always easy to determine what the term relevance means, a recurring theme seems to involve a more realistic portrayal of our society and institutions than students have received in the past. Relevance may mean candid exposure to the ways in which our system works, and to the means by which students can constructively relate to it. All too often, we suspect, students are unable to connect their everyday concerns to the legal phraseology of documents like the Illinois Constitution. In teaching and testing in these areas, instructors need to help them overcome these barriers to deep understanding.

The candid approach is certainly needed in the whole area of citizenship education, of which the required test is only one discrete part. Courses in government and civics often stress the structure and form of government, rather than its living spirit. Many of us, for example, have been exposed to textbook diagrams showing the legislative "choo-choo" dutifully tugging a bill from one committee to another in a very mechanical way. But in academic courses perhaps few of us gained a feeling for the political side of policy-making, including the complex process of lobbying with its subtle interplay of informal and formal forces A course that focuses entirely on the structures of government, important as they may be, will likely be pallid fare for the current generation of students. Therefore, the guidelines that follow are concerned with the substance of our governmental system as much as with its mechanics. The adoption of the new constitution is an excellent context in which to re-examine our assumptions about teaching and testing in this area

[1] The test is often administered as part of the required United States History course at both the junior high and senior high levels. Perhaps it would be preferable to include it in a government offering, provided that the course is taken by all students.

GENERAL GUIDELINES

The ideas in this section are offered in the spirit of suggestion. The extent to which individual schools and classes will find them useful will vary. It is anticipated, however, that they will initiate some thinking and discussion about matters of great importance to the people of this State. The Office of the Superintendent of Public Instruction offers the following points for consideration by any educator seeking to create a pertinent test on the Illinois Constitution:

1. The examination should be an integral part of a United States history or government course - not a test given out of a meaningful context.

2. Ideally, any consideration of the two constitutions should be woven into the entire fabric of the course, rather than being confined to one unit. It is recognized, however, that this kind of approach is difficult to implement.

3. The requirement may be satisfied by an oral or essay examination; however, it is recognized that grading problems may make an objective test the most convenient variety.

4. If an objective test is used, it should include a variety of question-types that are not limited to measuring simple recall. Some recall questions, however, can serve a useful purpose.

5. Tests will be improved if questions are written and reviewed by teacher committees. This practice provides checks on the accuracy of the answers, as well as increased dialogue in the entire process of test construction.

6. Test questions should be related to specific concepts and objectives that have been emphasized in the course. This procedure may avoid items dealing with irrelevant and trivial information.

7. Pertinent tests can be created if individual facts (such as the age requirement for representatives) are related to the **basic governmental function of policy-making.** Of any constitutional provision the following question should be asked: What is its effect on the policy-making process? Thus, a question dealing with the consequences of changing the requirement from 25 to 21 would be better than one asking merely for the present minimum.

8. Some questions should be concerned with the role and functions of constitutions in general.

9. The intentions and purposes behind the drafting of a law or constitutional provision are very important. Therefore, a study of key issues debated and considered in the Constitutional Convention would be very profitable.

10. Attempts should be made to relate constitutional provisions to the debate and resolution of issues of immediate concern to the student. The residency requirement for voters as it affects college students is a good example.

11. Some provisions in the 1970 Constitution are "firsts" in state government, for example, those relating to women's rights and installment paying for court-imposed fines. Others, such as the environmental control provision, represent a considerable strengthening of past specifications. All of these areas should be stressed.

12. Emphasis should be placed on the fact that ideally a constitution is a document facilitating response to a variety of changing situations. Students should realize that many provisions require enabling legislation that spells out the details of their implementation. They also need to know that controversies over the form such legislation takes become extremely important and lively issues which play a part in defining the practical effect of the constitutional provision. An example is the debate over the State Board of Education.

13. Preparation for a test on the Illinois Constitution is an excellent context in which to consider the responsibilities of the 18-year-old voter or young voter-to-be.

14. An understanding of the substantive parts of the Illinois Constitution is very important. The list accompanying this guideline is a representative sampling of important topics. Any teaching of them should, to the extent possible, proceed from an analysis of such themes as policy-making, political leadership and influence, the lobbying process, and the sources and uses of power. Teachers should bear in mind, of course, the fact that many provisions are in the process of implementation and that their meanings are being continually clarified.

Bill of Rights

Non-discrimination in hiring practices or sale and rental of property

Equal protection for women

Non-discrimination against the handicapped

Protection against unreasonable invasions of privacy by eavesdropping devices

Education

Primary responsibility of state for financing education

State Board of Education

Appointment of Superintendent of Public Instruction

Prohibition of use of public funds for sectarian purposes

Executive

Election of Governor and Lieutenant Governor as a team

Election of State officers in non-presidential years

Revenue and Finance

Flat rate (non-progressive) income tax

Abolishment of personal property tax

Executive balanced budget

Suffrage, Elections, Constitutional Revision

State Board of Elections

Reduction of voter residency requirement

Eased requirements for passage of amendments

Legislative

Cumulative voting to elect members of the House

New reapportionment plan

Item, reduction, and amendatory vetoes

Judiciary

Election of judges

Judicial Inquiry Board

Local Government

Home Rule

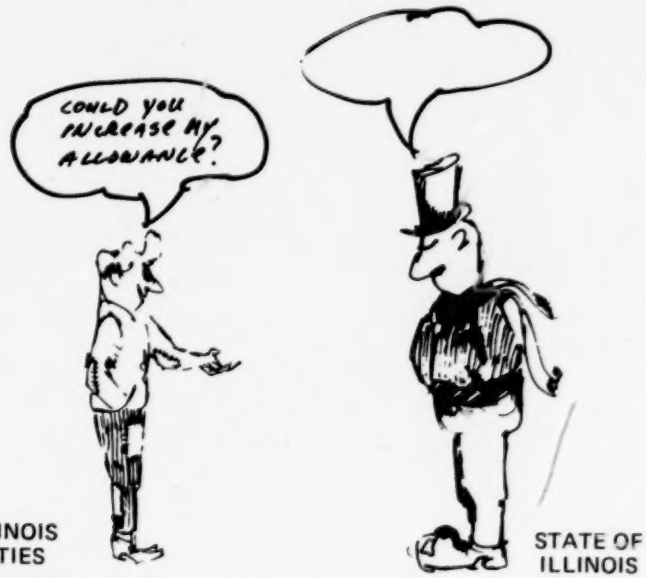
SAMPLE TEST QUESTIONS

This section will present examples of multiple choice examination questions reflecting recent trends in inquiry testing techniques. The questions and much of the rationales accompanying them were prepared by the Educational Testing Service. They involve skills ranging from recall to application and other higher-level processes. The explanations included with the items provide insight into how questions may serve as a springboard for further learning and classroom inquiries. Areas relating to pedagogy, testing techniques, and the politics and substance of the Illinois Constitution are discussed in this portion of the booklet. Some of the questions have four options from which the student has to choose the correct answer; others have five options. Teachers should feel free to use either or both format(s) in their testing.

It is important to point out again that these questions do not represent an "official" State examination. They are simply offered as examples of testing techniques that a teacher might choose to employ in his own classroom situation. Hopefully, the questions will stimulate thinking and dialogue about an important educational problem. An answer key is provided at the end of this section.

Question Number One

This question refers to the following cartoon:



1. Under the 1970 Illinois Constitution, it would be most appropriate if the words in the empty balloon were to read:

   A. "I can't; it's illegal for me to have a debt."

   B. "What? You have home rule now."

   C. "You're not allowed to borrow."

   D. "You can borrow as much as you want from the Federal Government."

   E. "O.K., but this is the last time."

Rationale:

This question demonstrates how stimulus materials, such as pictures and cartoons, can test the student's ability to apply his knowledge of the Illinois Constitution to current, political, social and economic problems. The issue underlined here, of course, is the emerging difficulties of the cities and the way in which the Constitution speaks to that problem. The home rule provision alters substantially the relationship between cities and the State Government. A well-chosen cartoon also has the advantage of injecting some humor and additional interest into a usually serious endeavor. It might be worthwhile to encourage students to create their own drawings and even to devise their own questions about them for classroom use.

Questions Two and Three

These questions refer to problem situations which are described in each question. For each question, select the choice (A-D) that best illustrates how the Illinois Constitution covers the problem.

   A. The situation is explicitly provided for in the Illinois Constitution.

   B. The situation is implicitly provided for by the Illinois Constitution.

   C. The problem area is NOT covered by the Illinois Constitution, although it relates to an appropriate subject for state constitutions.

   D. The problem area is NOT covered by the Illinois Constitution, and it is NOT an appropriate subject for state constitutions.

2. An appropriations bill providing aid for education has been passed by the legislature and awaits the governor's signature. The governor agrees with the appropriation made for school construction but opposes the sum allocated for compensatory education. What can the governor do?

3. Would youthful offenders in Illinois be more apt to receive fair treatment from judges in juvenile court than from judges in regular criminal courts?

Rationale:

These questions testing recall, application, and inferential skills can serve as departures for inquiry teaching. They relate to such questions as:

1. How explicit should constitutional provisions be in order to provide direction without becoming cumbersome or rigid?

2. Is a given constitutional provision flexible enough to accommodate changing standards or practices?

3. What factors must be taken into account by those who write constitutional provisions?

Question Number Four

This question asks you to assume that you are an assistant to the governor on matters concerning tax policy. You have been asked to review the proposed income tax plan presented in the table below.

Taxable Personal Income (After exemptions and deductions)	Income Tax
$ 0	$ 0
2,000	400
4,000	840
8,000	1,960
10,000	2,640
20,000	7,260

4. In making a recommendation to the governor that is in accord with the Illinois Constitution, you would:

A. Endorse the plan because it is likely to raise more revenue than a statewide property tax

B. Endorse the plan because it conforms to the principle that taxation should be based on the ability to pay

C. Oppose the plan because it is likely to raise less revenue than a corporate income tax

D. Oppose the plan because the tax is regressive and therefore unjust

E. Oppose the plan because the tax is progressive and therefore unconstitutional

Rationale:

Question four emphasizes an important social studies skill - the interpretation of charts and graphs. In asking the student, for a moment, to place himself in a policy-making role, the question also simulates a practical problem of the type that government officials are asked to consider and solve.

Question Number Five

The passage that constitutes question five is an argument on behalf of a constitutional provision. Indicate the constitution (A-C) it might be used to support, or select D indicating that none of the choices apply.

5. "The most accurate method of translating the voting strength of parties into legislative seats is proportional representation. Any districting technique other than proportional representation benefits the majority party in that it wastes the votes of minority parties."

   A. Argument could be used to support the Illinois Constitution only.

   B. Argument could be used to support the United States Constitution only.

   C. Argument could be used to support either the Illinois or the United States Constitution.

   D. Argument could NOT be used to support either the Illinois or the United States Constitution.

Rationale:

This item directs attention to the unique feature in Illinois government of cumulative voting as a method of proportional representation. Thus, it also serves as a springboard for a consideration of the reapportionment problem, as well as other aspects of legislative representation. Students should realize that constitutions are not neutral documents, and that their provisions are often linked to political outcomes. This idea relates to the following points:

1. Alternative constitutional arrangements are always possible (cumulative voting v. single-member districts).

2. Preference for or understanding of a given arrangement will take likely political consequences into account.

3. The adoption of any arrangement in preference to another will generally work to the advantage of some groups and the disadvantage of others.

Question five can also lead the student into the area of comparative constitutionalism. The Illinois Constitution can be compared to that of the Federal Government and other states. The student will note, for example, that all constitutions are similar insofar as a few basic functions are undertaken by all governments, regardless of level or location.

Questions Six and Seven

Questions six and seven refer to the passage below:

> A constitution is a system of formal rules that govern political processes. Rules are statements of expected behavior. If they are widely understood and agreed to, citizens can operate with a great deal of certainty because they will know how to act as well as what to expect from the actions of others.

For each of the questions, select the behavior that you would expect to result from the constitutional rule that is given.

6. "Private property shall not be taken or damaged for public use without just compensation as provided by law."

   A. A person's property would not be used for a public park.

   B. The State would not route a highway through private property.

C. If private property were taken, the owner would be paid the amount he would ask if he were offering it for private sale.

D. If private property were taken, the State could not arbitrarily determine the amount to be paid the owner.

7. "No person shall be compelled in a criminal case to give evidence against himself nor to be twice put in jeopardy for the same offense."

A. A defendent would not testify in his own behalf.

B. The prosecution could not count on help from the defendent in making its case.

C. A person suspected of committing robbery in one state and arson in another would not be tried for both.

D. If a defendent were convicted, he would not appeal his case.

Rationale:

This item attempts to remedy the fact that legal phraseology may at times be obscure to the student. It directs attention to the fact that the law must be applied in realistic and everyday settings. Focusing on questions often involved in litigation, this type of question can relate the Constitution to potential concerns of the student.

The rationales accompanying the above questions also point the way to the formulation of specific behavioral objectives. For example, an objective related to questions six and seven might be:

Given a provision from the Illinois Constitution, the student will be able to state its meaning in his own words.

Good teaching and testing can evolve from an artistic interplay of objectives, questions, and activities.

KEY

1. B
2. A
3. C
4. E
5. A
6. D
7. B

APPENDIX

Statement of Legislation:

Sec. 27-3. PATRIOTISM AND PRINCIPLES OF REPRESENTATIVE GOVERNMENT--PROPER USE OF FLAG--METHOD OF VOTING. American patriotism and the principles of representative government, as enunciated in the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois, and the proper use and display of the American flag, shall be taught in all public schools and other educational institutions supported or maintained in whole or in part by public funds. No student shall receive a certificate of graduation without passing a satisfactory examination upon such subjects.

Instruction shall be given in all such schools and institutions in the method of voting at elections by means of the Australian Ballot system and the method of the counting of votes for candidates.

SEC. 27-4. TIME DEVOTED TO SUBJECTS MENTIONED IN SECTION 27-3. Not less than one hour of each school week shall be devoted to the study of the subjects mentioned in Section 27-3 in the seventh and eighth grades or their equivalent, and not less than one hour of each school week to the advanced study thereof in all high school grades, in the public schools and other institutions mentioned in such section. This section does not prevent the study of such subjects in any of the lower grades in such schools or institutions.

BIBLIOGRAPHY

Cornelius, Janet. **A History of Constitution-Making in Illinois.** Urbana: Institute of Government and Public Affairs, University of Illinois, 1969.

Braden, George D., and Rubin G. Cohn. **The Illinois Constitution: An Annotated and Comparative Analysis.** Institute of Government and Public Affairs, University of Illinois, 1969.

Council of State Governments. **The Book of the States.** 1935 to date.

Dishman, R. R. **State Constitutions: The Shape of the Document.** New York: National Municipal League, 1960. State Constitutional Series Project. Series II, No. 1, 1960.

Grad, Frank P. **The State Constitution: Its Function and Form for Our Time.** New York: National Municipal League, 1968.

Illinois Government. "Constitutional Amendments and the Voter, 1952-1966." No. 27, July, 1967.

Illinois League of Women Voters. **Illinois Voter's Handbook.** Chicago, 1969.

Kenney, David. **Basic Illinois Government.** Carbondale, Illinois: Southern Illinois Press, 1970.

Kitsos, Thomas. **Constitutional Amendments and the Voter 1952-1960.** Urbana: Commission Papers of the Institute of Government and Public Affairs, University of Illinois, 1968.

Kitsos, Thomas, and Joseph Pisciotte. **A Guide to Illinois Constitutional Revision: The 1969 Constitutional Convention.** Urbana: Institute of Government and Public Affairs, University of Illinois, October, 1969.

Pisciotte, Joseph, editor. **Studies in Illinois Constitution-Making.** Urbana: University of Illinois Press, 1971-72. (Separate volumes on substantive areas of the 1970 Illinois Constitution).

Ranney, Victoria, editor. **CON-CON: Issues for the Illinois Constitutional Convention.** Urbana: University of Illinois Press, 1970. Papers prepared by the Constitution Research Group, Samual H. Gove, Director.

Secretary of State. **Illinois Blue Book.** 1905 to date.

Secretary of State. **Handbook of Illinois Government.** 1971.